

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ELECTROLUX HOME PRODUCTS, INC.

10200 David Taylor Drive

Charlotte, NC 28262

Plaintiffs,

v.

APPLIANCES DEPOT, LLC,

d/b/a Koolzone USA Appliances Outlet,

20929 Gratiot Ave, Eastpointe,

MI 48021

and

OUMAIMA AL-SAMAD

8105 Riverview Street

Dearborn Heights, MI 48127

and

OMAR CHIBIB

8105 Riverview Street

Dearborn Heights, MI 48127

Defendants.

Case No. 2:13-cv-10256

Judge: Patrick J. Duggan

SHUMAKER, LOOP & KENDRICK, LLP

Gregory H. Wagoner (P63981)

Attorneys for Plaintiff

Electrolux Home Products, Inc.

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DEPOT, LLC, AL-SAMAD and CHIBIB

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DEFENDANTS' ANSWER TO AMENDED COMPLAINT

NOW COME the Defendants, APPLIANCES DEPOT, LLC, OUMAIMA AL-SAMAD and OMAR CHIBIB by and through their counsel Helal A. Farhat, and for their Answer to Plaintiff's Complaint state the following:

THE PARTIES

1. Defendants lack knowledge or information to form a belief about the truth of the allegation.
2. Admit only that Appliances Depot, LLC is a Michigan Limited Liability Company; as to the remainder of the allegations contained in this paragraph, Defendants lack knowledge or information to form a belief about the truth of the allegations.
3. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs.
4. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs.

JURISDICTION AND VENUE

5. Defendants lack knowledge or information to form a belief about the truth of the allegation.
6. Defendants lack knowledge or information to form a belief about the truth of the allegation.

THE FACTS

7. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs.
8. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs. In further answer, Exhibit A speaks for itself.
9. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs. In further answer, Exhibit B speaks for itself.

10. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs. In further answer, Exhibit C speaks for itself.

11. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs. In further answer, Exhibit D speaks for itself.

12. Defendants lack knowledge or information to form a belief about the truth of the allegation.

13. Defendants lack knowledge or information to form a belief about the truth of the allegation.

14. Defendants lack knowledge or information to form a belief about the truth of the allegation.

15. Defendants lack knowledge or information to form a belief about the truth of the allegation.

16. Defendants lack knowledge or information to form a belief about the truth of the allegation.

17. Defendants lack knowledge or information to form a belief about the truth of the allegation.

18. Defendants lack knowledge or information to form a belief about the truth of the allegation.

19. Defendants lack knowledge or information to form a belief about the truth of the allegation.

20. Defendants lack knowledge or information to form a belief about the truth of the allegation.

In further answer, Exhibit E speaks for itself.

21. Defendants lack knowledge or information to form a belief about the truth of the allegation.

22. Defendants lack knowledge or information to form a belief about the truth of the allegation.

23. Defendants lack knowledge or information to form a belief about the truth of the allegation.

24. Defendants lack knowledge or information to form a belief about the truth of the allegation.

25. Defendants lack knowledge or information to form a belief about the truth of the allegation.

26. Deny the allegations contained in this paragraph as untrue.

27. Deny the allegations contained in this paragraph as untrue.

28. Deny the allegations contained in this paragraph as untrue.

COUNT I
(Action on Account)

- 29. Defendants repeat paragraphs 1 – 28 as if set forth herein.
- 30. Defendants neither admit nor deny the allegations contained in this paragraph and leave Plaintiff to its proofs. In further answer, Exhibit A speaks for itself.
- 31. Deny for the reason that the allegation is untrue.
- 32. Deny for the reason that the allegation is untrue.

COUNT II
(Breach of Contract)

- 33. Defendants repeat paragraphs 1 – 32 as if set forth herein.
- 34. Deny for the reason that the allegation is untrue.
- 35. Deny for the reason that the allegation is untrue.
- 36. Deny for the reason that the allegation is untrue.

COUNT III
(Unjust Enrichment)

- 37. Defendants repeat paragraphs 1 – 36 as if set forth herein.
- 38. Defendants lack knowledge or information to form a belief about the truth of the allegation.
- 39. Deny for the reason that the allegation is untrue.
- 40. Defendants lack knowledge or information to form a belief about the truth of the allegation.
- 41. Deny for the reason that the allegation is untrue.
- 42. Deny for the reason that the allegation is untrue.

COUNT IV
(Fraud)

- 43. Defendants repeat paragraphs 1 – 42 as if set forth herein.
- 44. Deny for the reason that the allegation is untrue.

- 45. Defendants lack knowledge or information to form a belief about the truth of the allegation.
- 46. Deny for the reason that the allegation is untrue.
- 47. Deny for the reason that the allegation is untrue.
- 48. Deny for the reason that the allegation is untrue.
- 49. Deny for the reason that the allegation is untrue.
- 50. Deny for the reason that the allegation is untrue.
- 51. Deny for the reason that the allegation is untrue.
- 52. Deny for the reason that the allegation is untrue.
- 53. Deny for the reason that the allegation is untrue.
- 54. Deny for the reason that the allegation is untrue.

COUNT V

Piercing the Corporate Veil

- 55. Defendants repeat paragraphs 1 – 54 as if set forth herein.
- 56. Defendants lack knowledge or information to form a belief about the truth of the allegation.
- 57. Defendants lack knowledge or information to form a belief about the truth of the allegation.
- 58. a. – d. Deny for the reason that the allegations are untrue.
- 59. Deny for the reason that the allegations are untrue.
- 60. Deny for the reason that the allegations are untrue and deny that the Court should pierce the corporate veil of Koolzone.

WHEREFORE, Defendants, APPLIANCES DEPOT, LLC, OUMAIMA AL-SAMAD and OMAR CHIBIB respectfully request that this Court deny Plaintiffs' requested relief; grant Defendants reasonable attorney fees; and grant any other relief as the Court may deem appropriate.

Respectfully submitted,

Dated: March 13, 2013

/s/ Helal A. Farhat
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CERTIFICATE OF SERVICE

I certify that on March 20, 2013, I electronically filed the foregoing Answer with the Clerk of the court using the ECF system which will send notification of such filing to the following: Gregory H. Wagoner (P63981)

/s/ Helal A. Farhat
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